

Applic. No.: 10/695,580  
Amdt. Dated May 24, 2005  
Reply to Office action of March 23, 2005

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## REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-10 remain in the application.

In the section entitled "Claim Rejections - 35 USC § 102" on page 2 of the above-mentioned Office action, claims 1-3 have been rejected as being anticipated by Tsung-Wen (US 6,225,139 B1) under 35 U.S.C. § 102(e).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

providing an optoelectronic transducer mounted on a support with inner flat conductors and outer flat conductors;

embedding the transducer and the inner flat conductors in a plastic housing; and

milling the plastic housing to form a radiation-optical functional surface for a coupling partner from a material of the plastic housing.

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Tsung-Wen fails to teach a method which includes the feature "milling the plastic housing to form a radiation-optical functional surface for a coupling partner from a material of the plastic housing," as recited in claim 1 of the instant application.

The Examiner has cited step (24) of claim 1 of Tsung-Wen as disclosing the above feature. However, it is clear from the description of Figs. 3 and 4, column 3, line 56 to column 4, line 50, and more specifically column 4, lines 46-47 that the step of shaping refers to shaping of the concave cup in the printed circuit board. The epoxy glue 23 which covers the LED is added in a later stage of the process, as disclosed in column 5, lines 17-18 of Tsung-Wen. Clearly, Tsung-Wen fails to disclose that the epoxy glue 23 is milled.

Tsung-Wen, therefore, fails to teach a method including a step of milling the plastic housing in which the transducer and inner flat conductors are embedded.

Tsung-Wen teaches a method for the production of concave cups in a printed circuit board. Tsung-Wen teaches that an LED is mounted in the concave cup which is disposed in the printed circuit board and subsequently covered with epoxy resin.

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In contrast, the invention of the instant application relates to a method of fabricating an optoelectronic component which can be subsequently mounted to a printed circuit board, if desired, by the outer flat conductors which are not embedded in the plastic housing. Specifically, the invention of the instant application discloses a method by which a radiation-optical functional surface is formed in the plastic housing of an optoelectronic component including a transducer and flat conductors. More specifically, the invention of the instant application teaches that the radiation-optical surface is formed by milling of the plastic housing.

The method of the invention of the instant application is not obvious from the disclosure of Tsung-Wen since Tsung-Wen teaches a configuration in which the shape and surface finish of the concave cup formed in the printed circuit board provide enhanced reflective properties. Tsung-Wen fails to provide any suggestion or motivation for a person skilled in the art to perform an additional step of milling the plastic housing of the optoelectronic component.

Clearly, Tsung-Wen does not show "milling the plastic housing to form a radiation-optical functional surface for a coupling partner from a material of the plastic housing," as recited in claim 1 of the instant application.

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Claim 1 is, therefore, believed to be patentable over Tsung-Wen and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

Applicant acknowledges the Examiner's statement in the section entitled "Allowable Subject Matter" on page 3 of the above-mentioned Office action that claims 4-10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Since claim 1 is believed to be patentable as discussed above and claims 4-10 are ultimately dependent on claim 1, they are believed to be patentable in dependent form. A rewrite is therefore believed to be unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-10 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

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If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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